



CITY OF PHILADELPHIA

POLICE DEPARTMENT
HEADQUARTERS, FRANKLIN SQUARE
PHILADELPHIA, PENNSYLVANIA 19106

RICHARD J. ROSS, JR.
Commissioner

February 21, 2019

Ms. Muira McCammom
67398-67494384@requests.muckrock.com

RE: Your Request for Information

Dear Ms. McCammon,

Your request for information dated 01-14-19 was received by this office on 02-13-19 for:

1. See attached

After processing your informal request, the Philadelphia Police Department responds as follows:

Your request is *denied in part*, and *cannot be granted in part* as set forth below.

Your request *cannot be granted* pursuant to that the PPD does not have any information or records responsive to your request in its possession, under its custody or within its control. It is not a denial of access under the Act if the records requested do not exist. *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009)."

Furthermore, if the "deleted tweets" did exist your request would be *denied* pursuant to **Section 705 of the Right-to-Know Act, in which when responding to a request for access, an agency shall not be required to create a record which does not currently exist or to compile, maintain, format, or organize a record in a manner in which the agency does not currently compile, maintain, format or organize the record.** *Cf. Jenkins vs. Pennsylvania Department of State*, Docket No. AP 2009-0065 (OOR April 2, 2009).

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This response will serve to close this particular request for information with our office as permitted by law. Thank you for contacting the Philadelphia Police Department's Open Records Office.

FOR THE POLICE COMMISSIONER

Sincerely,

A handwritten signature in black ink that reads "Lt. Barry Jacobs #97". The signature is written in a cursive, flowing style.

Lieutenant Barry Jacobs
Open Records Officer
Philadelphia Police Department
750 Race Street, Room 203
Philadelphia, PA 19106
FAX: 215-686-1183
Email: police.righttoknow@phila.gov